

In the Court of Motish Kumar Singh Sessions Judge, Siwan.

Anticipatory Bail Petition No. 1239/2026

Asaon P.S. Case No. 24/2026

Sharwan Yadav & Ors.....Petitioners

Vs.

The State of Bihar O.P.

ORDER

26.05.2026

1. Ld. Counsel moves this anticipatory bail petition on behalf of accused petitioners namely (1) Sharwan Yadav, (2) Dinesh Yadav, (3) Hirdya Yadav, (4) Ganesh Yadav, (5) Sri Ram Yadav, (6) Sadhu Yadav, (7) Rakesh Yadav @ Rajesh Kumar Yadav, (8) Pawan Yadav @ Pawan Kumar Yadav, (9) Arvind Yadav, (10) Taleshra Devi, (11) Murat Devi, (12) Mantu Yadav, who apprehend their arrest in connection with Asaon P.S Case No. 24/2026 registered u/s 126(2), 115(2), 109(1), 352, 351(2), 3(5) of BNS.

2. Ld. Counsel for the petitioners submits that the petitioners are innocent and have committed no offence, rather they have falsely been implicated in this case. Petitioner no.1, 2 & 12 bears two criminal antecedents and petitioner no. 3, 5, 6 bear one criminal antecedent and other petitioners bear no criminal antecedent. The allegation levelled against these petitioners is totally false, baseless and concocted. There is counter case too. There is no chance of their absconding and tampering with the evidence. Hence, Ld. Counsel prays for anticipatory bail.

3. On the other hand, Ld. P.P as well as Ld. counsel for informant oppose the prayer for anticipatory bail.

4. Heard. Perused the case record.

5. From perusal of the record, it transpires that an F.I.R vide Asawn P.S. Case No. 24/2026 was registered on 29.01.2026 u/s 126(2), 115(2), 109(1), 352, 3(5), 351(2) of BNS against the petitioners along with other co-accused persons. As per FIR, the informant alleged that his neighbour wanted to occupy his land and when the informant and his family members objected, Sharwan Yadav, Mantu Yadav attacked with axe and rod on them, thereafter family members of accused persons started pelting bricks and stone.

6. From perusal of record, it appears that there is specific allegation against the petitioners Sharwan Yadav and Mantu Yadav that they attacked the informant and his family members with axe and rod. From perusal of injury reports of injured, it appears that they sustained following injuries:-

Bashist Yadav sustained injury:-

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- (i) Lacerated wound over rt side of head of an around 2cm
- (ii) Lacerated wound over forehead
- (iii) Skin deep cut wound over nose
- (iv) Pain and swelling over both wrist joint

Ajay Yadav sustained injury:-

- (i) Skin deep lacerated wound over left side of forehead size 2.5 cm.
- (ii) Abrasion wound of size 7cm and 2cm over upper back of body.
- (iii) Blunt force trauma over right forearm
- (iv) Blunt force trauma over left shoulder joint

Ramashankar Yadav @ Umashankar Yadav sustained injury:-

- (i) Skin deep lacerated wound just above left eye of size 2cm
- (ii) Bone deep lacerated wound over little toe of left leg
- (iii) Blunt force trauma below left knee joint

Thus, doctor opined the nature of injury of Bashist Yadav of serial no. 1 to 3 is simple and serial no.4 fracture over lower end of left radius, grievous. Injured Ajay Yadav, Pappu Yadav sustained simple injury and serial no.1 and 3 of injury of informant is simple, but serial no. 2 of injury is grievous.

7. As per para-3 of the bail petition, it appears that Petitioner no.1, 2 & 12 bears two criminal antecedents and petitioner no. 3, 5, 6 bear one criminal antecedent and other petitioners bear no criminal antecedent

8. Considering the aforesaid facts and specific allegation, the present anticipatory bail application qua petitioners **(1) Sharwan Yadav & (2) Mantu Yadav** is hereby **rejected**.

9. So far as, the bail petition of petitioners **(1) Dinesh Yadav, (2) Hirdya Yadav, (3) Ganesh Yadav, (4) Sri Ram Yadav, (5) Sadhu Yadav, (6) Rakesh Yadav @ Rajesh Kumar Yadav, (7) Pawan Yadav @ Pawan Kumar Yadav, (8) Arvind Yadav, (9) Taleshra Devi, (10) Murat Devi**, are concerned, there is general and omnibus allegation against the petitioners.

10. Considering the aforesaid facts, the present anticipatory bail petition of petitioners **(1) Dinesh Yadav, (2) Hirdya Yadav, (3) Ganesh Yadav, (4) Sri Ram Yadav, (5) Sadhu Yadav, (6) Rakesh Yadav @ Rajesh Kumar Yadav, (7) Pawan**

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Yadav @ Pawan Kumar Yadav, (8) Arvind Yadav, (9) Taleshra Devi, (10) Murat Devi, is allowed.

11. It is directed that in the event of their arrest or surrender before learned trial court within six weeks, the petitioners shall be released on furnishing by them bail bonds of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the learned trial court subject to conditions as mentioned under section 482 of BNSS.

(Dictated)

(Motish Kumar Singh)
Sessions Judge,
Siwan.
26.05.2026